

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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IN RE: :  
Kerry Green : Chapter 13  
: :  
Debtor : Case No.: 17-13040

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**MOTION FOR AUTHORITY TO SELL REAL PROPERTY FREE AND  
CLEAR OF LIENS AND ENCUMBRANCES**

NOW INTO COURT COMES, Kerry Green, hereinafter referred to as “Debtor”, and brings this Motion to Sell Real Property under Eastern District of Pennsylvania Local Rule 6004-1 and Section 363 of the United States Bankruptcy Code and in support thereof avers the following:

1. Debtor commenced the instant Chapter 13 matter on April 28, 2017 by filing a Voluntary Petition.
2. The Chapter 13 Plan was confirmed by this Honorable Court on October 10, 2017.
3. The subject real property is located at 4018 Parish Street, Philadelphia, PA 19104 (hereinafter referred to as “the property”) and is owned by the Debtor.
4. Debtor believes it to be in her best financial interest to sell the property.
5. On or about March 14, 2019, Debtor, entered into “Standard Purchase and Sale Agreement” in the amount of \$125,000.00. A true and correct copy of the Agreement is attached hereto and labeled as “**Exhibit A.**”
6. The settlement date for the sale of the subject property is scheduled for April 19, 2019.
7. The Buyer, “K & A Development Group, LLC” is not an insider of the Debtors and the sale represents and arms-length transaction between the parties made without fraud and/or collusion.
8. From the sale proceeds the Debtor intends to satisfy her mortgage lien held The Bank of New York Mellon. A mortgage payoff will be acquired by or before the hearing on the

\$80,000.00.

9. At the time of filing the instant Motion, a Settlement Statement is not yet available; however, the Debtor intends to satisfy her mortgage on the subject property and all unsecured debts by virtue of the purported sale to accelerate her discharge in Chapter 13 Bankruptcy.
10. Any remaining proceeds from the sale of the property after the mortgage lien is satisfied and the unsecured creditors are paid in full shall be returned to the Debtor.

**WHEREFORE**, Debtor, respectfully requests that the Court enter an Order: (i) Granting this Motion, (ii) Authorizing the Debtors to sell the Property to the proposed buyer under the terms of that Agreement for the Sale of Real Estate free and clear of liens, claims interests and encumbrances, and, (iii) Granting the Debtors such other and further relief to which they may be justly entitled.

Dated: March 14, 2019

/s/Brad J. Sadek, Esq.

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